

1 WILLIAM M. CROSBY (SBN: 49357)
13522 Newport Avenue, Suite 201
2 Tustin, CA 92780
Telephone: (714) 544-2493
3 Facsimile: (714) 544-2497
Email: wcrosby@wcrosbylaw.com

4 Attorney for Plaintiff
5 NATALIE LAMBERT
6
7

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10
11

12 NATALIE LAMBERT,
13 Plaintiff,
14

15 v.

16 UNIREGISTRY, INC., a Delaware
corporation; SEVAN DERDERIAN;
17 DOES I through X, inclusive,
18 Defendants.
19

)
) CASE NO. 8:18-cv-01566-JLS (JDEx)
)
) **DECLARATION OF NATALIE LAMBERT IN**
) **OPPOSITION TO DEFENDANTS' MOTION**
) **FOR SUMMARY JUDGMENT**
)

) [Filed and Served Concurrently with Memorandum
) of Points and Authorities and Argument in
) Opposition to Defendants' Motion for Summary
) Judgment; and Plaintiff's Statement of Genuine
) Issues in Response to Defendants' Separate
) Statement of Alleged Uncontroverted Facts and
) Conclusions of Law]

20 Date: November 15, 2019
21 Time: 10:30 a.m.
22 Ctrm: 10A

23 I, Natalie Lambert, hereby declare:

24 1. I am the plaintiff in the above action. I make this
25 declaration in opposition to the Motion for Summary Judgment filed by
26 defendants herein. The following facts are within my personal
27 knowledge and if called upon as a witness I could and would testify
28 competently thereto.

///

1 2. I have a Bachelors Degree in Marketing and Management from
2 Northwood University in West Palm Beach, Florida. Prior to my
3 employment with defendant Uniregistry, Inc. ("Uniregistry"), I was
4 employed as Vice President of City Development for Castello Cities
5 Internet Network for over seven years. Prior to working at
6 Uniregistry and for approximately 3-1/2 years since, I was never
7 terminated from a job for performance or conduct related reasons.

8 3. I was employed at Uniregistry from October 28, 2014 to March
9 23, 2015 as Director of Business Development. From the outset of my
10 employment and continuously thereafter, I was subject to inappropriate
11 and offensive treatment, which I contend was based on my gender, by my
12 supervisor, defendant Sevan Derderian ("Derderian"), Vice President of
13 Sales. This harassment is described in the Complaint herein, as well
14 as in my responses to Interrogatories and in my deposition.

15 4. On November 19, 2014, I made a written complaint to the
16 President of the company, Frank Schilling, regarding Mr. Derderian's
17 conduct. Mr. Derderian treated me in an even more hostile manner
18 thereafter. To my knowledge, no investigation or remedial action was
19 taken regarding my written complaint. In December of 2014 and January
20 of 2015, I learned that over 21 fraudulent online credit applications
21 were submitted in my name. In addition, I also experienced
22 unwarranted changes to my work email password, and my access to
23 Uniregistry's database was restricted. I told Uniregistry's General
24 Counsel, as well as Francisco Obispo the IT Director, that I believed
25 Mr. Derderian was responsible for the above discriminatory and
26 retaliatory acts. Further, I was not provided special rates that were
27 provided to the male sales executives. If I would have been provided
28 with these special rates, my sales would have increased. Due to these

1 and other efforts, which I believe were made deliberately to sabotage
2 my sales, I was not able to increase my sales to the degree to which
3 I believe I would have otherwise been able to do. Finally, I had been
4 promised that I would be able to do outside sales, but after I was
5 hired I was told that I had to stay in the office and call customers
6 rather than go out in the field to meet with them.

7 5. For these reasons I was shocked and surprised to receive the
8 email of March 6, 2015 from Bret Fausett, General Counsel, alleging
9 that I had made insufficient sales.

10 6. Less than three weeks later, without any further counseling
11 or specific sales goals ever having been provided, I was told by
12 Michael Ward, Operations Manager, that I was being terminated "because
13 (my) numbers did not meet expectations." I did not believe that I had
14 been given close to sufficient time to build relationships or develop
15 business, particularly after having been subject to abusive conduct by
16 my boss and having been sabotaged in the performance of my duties. I
17 had moved from Florida to California, shipped all of my belongings,
18 and signed a one year lease. I was then forced to break my lease and
19 pay to have my belongings shipped back to Florida. I did not find
20 full time employment again until March of 2017. Due to my resultant
21 depression and anxiety, I received treatment from Alexis Brown, Psy.D.
22 on a weekly basis in 2016 and 2017, and from Jan Ganesh, Psy.D.
23 intermittently during that period.

24 7. Following my return to Florida in September of 2015, I
25 contacted the law firm of Scott Wagner & Associates regarding my
26 possible claims. Based on the information provided by that law firm,
27 on September 22, 2015 I filed a Charge of Discrimination and
28 Retaliation with the Los Angeles office of the EEOC. I included

1 Uniregistry's Newport Beach, California address on my Charge. See
2 **Exhibit A.** On September 28, 2015, I received an intake questionnaire
3 from the EEOC stating in part: "We have also notified the employer
4 that you are filing a charge, which we are required to do." See
5 **Exhibit B.** I know that Mr. Derderian was still employed at the
6 Newport Beach office of Uniregistry at this time. On January 19,
7 2016, the EEOC filed a Charge of Discrimination and Retaliation. See
8 **Exhibit C.** The EEOC's Charge did not include as a defendant Mr.
9 Derderian, even though I had listed his name three times in my Charge
10 as the person who had abused and sexually harassed me. On the same
11 date my Charge was dual filed with the DFEH, I did not ask either the
12 EEOC or the DFEH to issue an immediate right-to-sue letter. However
13 I received a "right-to-sue" letter from the DFEH dated January 19,
14 2016 which stated: "Pursuant to Government Code section 12965,
15 subdivision (d)(1), this one-year period will be tolled during the
16 pendency of the EEOC's investigation of the complaint." See **Exhibit**
17 **D.** I therefore expected the EEOC to perform an investigation, and was
18 assured of this when I reviewed a letter dated February 1, 2016 from
19 the EEOC that stated: "Pursuant to the worksharing agreement, this
20 charge is to be initially investigated by the EEOC." See **Exhibit E.**

21 8. I was then surprised to receive a "right-to-sue" letter from
22 the EEOC dated the same day - February 1, 2016 - since I did not
23 understand how they could have conducted a thorough investigation in
24 less than two weeks. See **Exhibit F.** No one from the EEOC had
25 contacted me to interview me further, or advise as to the status of
26 the investigation.

27 ///

28 ///

1 9. In a telephone conversation on February 24, 2016, I was told
2 by John Sohn, EEOC Manager, that if I provided evidence they would
3 reevaluate my case and investigate it. Thereafter I sent a letter
4 along with a number of documents supporting my claims to Mr. Sohn at
5 the EEOC. See **Exhibit G**. On April 13, 2016, Brandon Mancina, an EEOC
6 Investigator, told me that "these investigations take a long time" and
7 that I should "continue to follow up regarding the status of the
8 investigation," and to let him know if I had additional evidence.

9 10. From May of 2016 through March 10, 2017, I had periodic
10 conversations with EEOC employees, including Saul Vasquez, who I
11 believe was an Investigator, and Patricia Kane, an EEOC Enforcement
12 Officer. On March 3, 2017 and March 10, 2017, Ms. Kane assured me
13 that my right-to-sue letter was being re-evaluated and investigated
14 and to let her know if I had additional evidence. She also stated
15 that I had a good legal argument.

16 11. My belief that I had additional time to file a civil lawsuit
17 was also based on advice by my counsel at Scott Wagner & Associates,
18 that given these assurances by the EEOC I would in fact have
19 additional time.

20 12. I was unaware of whether or not the Charges and right-to-sue
21 letters previously issued by the EEOC and the DFEH had in fact been
22 sent to Uniregistry or Mr. Derderian. On March 23, 2017, my counsel
23 at Scott Wagner & Associates sent a letter to Uniregistry outlining my
24 claims. This was sent in the belief that since the EEOC had assured
25 me that it would need additional time to complete its investigation
26 and issue a subsequent right-to-sue letter that there was ample time
27 left in which to file a civil lawsuit.

28 ///

1 13. On March 23, 2017, my attorney Lindsey Wagner sent a letter
2 to Patricia Kane, the EEOC Enforcement Officer, advising that Scott
3 Wagner & Associates would be representing me in further communications
4 with the EEOC. See **Exhibit H**. On March 31, 2017 Ms. Wagner sent a
5 further letter to Ms. Kane with additional documents supporting my
6 claims. See **Exhibit I**.

7 14. I received a letter dated May 25, 2017 from Rosa M.
8 Viramontes, District Director of the Los Angeles District Office of
9 the EEOC, advising of the "Notice of Intent to Reconsider" pursuant to
10 29 CFR 1601.21. See **Exhibit J**. I was surprised to learn that there
11 had been a Dismissal of the Right-To-Sue on February 1, 2016. Not
12 only had I not been advised of this, but as stated above, I had been
13 reassured repeatedly that the investigation was ongoing based on my
14 original Charge.

15 15. Attached hereto collectively as **Exhibit K**, are a series of
16 emails dated from July 18, 2017 through January 23, 2018 between
17 Jacqueline Escobar, EEOC Investigator, and Lorraine Ocheltree,
18 Uniregistry's counsel, reflecting a very substantial delay in
19 Uniregistry's response to the EEOC's request for information. After
20 attempting to arrange interviews with three witnesses on July 18,
21 2017, it was not until January 23, 2018 that a single affidavit
22 apparently was obtained by Vern Jurovich, which he apparently declined
23 to sign. These emails, which I obtained through the FOIA, appear to
24 reflect a lack of cooperation by Uniregistry and a questionable basis
25 for the EEOC closing its investigation (with only one unsigned
26 affidavit).

27 ///

28 ///

1 16. On February 6, 2018, the EEOC issued its subsequent right-
2 to-sue letter. See **Exhibit L**. Because I was living in Boynton Beach,
3 Florida and needed to find an attorney who would file a civil lawsuit
4 for me in Southern California, it took me some time to locate such an
5 attorney. I contacted William M. Crosby in July of 2018 and filed my
6 civil lawsuit alleging claims under the Fair Employment and Housing
7 Act for Sexual Harassment (Gov. Code, § 12940(j)) and Retaliation
8 (Gov. Code, § (h)) on July 24, 2018. After prompt service of the
9 Complaint on defendants Uniregistry, Inc. and Sevan Derderian, the
10 Complaint was removed to the United States District Court, Central
11 District of California, based on diversity of citizenship on September
12 4, 2018.

13 17. I at all times believed that I had filed my Charge with the
14 EEOC as required by law, and that the EEOC had complied with its
15 obligations to conduct an investigation pursuant to its statutory
16 authority. The repeated assurances to me by the EEOC's agents as
17 indicated above reinforced my belief in that regard. At no time have
18 I willfully attempted to delay any investigation or the filing of this
19 action, and my counsel has complied with all applicable deadlines
20 required by the District Court in the prosecution of my civil lawsuit.
21 I very much want to have my day in court as a result of the great
22 financial and emotional harm caused me by defendants, and I want the
23 defendants to be held accountable for their wrongful conduct.

24 18. Regarding defendants' argument that they have been
25 prejudiced by the delay of almost three and a half years (from my
26 termination in March of 2015 to my filing of this action in August of
27 2018), it was not my intention to cause any undue delay. I believed
28 that it was necessary for the EEOC to investigate my claims prior to

1 filing, and the EEOC did not complete its investigation until February
2 of 2018. Also regarding the absence of witnesses, I believe that it
3 is I who will suffer more prejudice due to the inability to call two
4 witnesses, Michael Ward and Manu Lanctot. Mr. Ward, Director of
5 Operations, saw Mr. Derderian abuse me and was aware of my complaints
6 regarding the unwarranted changes to my work email password, as well
7 as my access to the company database being restricted. Also, my
8 attorney will be unable to cross-examine him as to the reasons for my
9 termination. Mr. Lanctot, an employee in the IT Department, was aware
10 of my complaints regarding the unwarranted changes to my work email
11 password. He knew nothing about my sexual harassment complaints.

12 19. Regarding my alleged failure to recall things during my
13 deposition, these were generally in response to immaterial questions
14 in a very lengthy deposition. If I could not clearly recall
15 something, I would respond "not that I recall." I did this to make
16 sure that in the event I did clearly recall something later, I could
17 supplement my testimony. I had no trouble clearly recalling the
18 specifics of the wrongful conduct perpetrated by the defendants, such
19 as the abusive and harassing treatment I received and how I was
20 treated differently from the male employees. In reviewing my
21 deposition transcript, I did not supplement my testimony.

22 20. When I responded to the interrogatories in this case as to
23 why the statute of limitations had not run, I was not asked to explain
24 why the subsequent February 6, 2018 EEOC right-to-sue letter was
25 subject to equitable tolling, or why the EEOC should be estopped from
26 asserting any statute of limitations based on its representatives'
27 repeated representations to me that they were continuing to
28 investigate my Charge after the issuance of the first EEOC right-to-

1 sue letter.

2 I declare under penalty of perjury that the foregoing is true and
3 correct.

4 Executed at Boynton Beach, Florida on October 22, 2019.

5 

6
7 NATALIE LAMBERT

EXHIBIT A

Sep 23 2015 11:49AM HP Fax

page 4

September 22, 2015

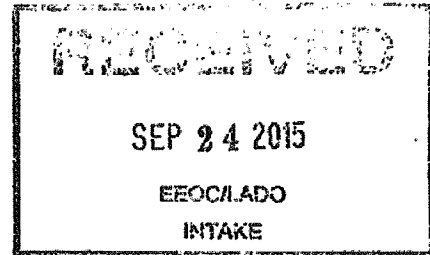
EEOC Complaint on the basis of Retaliation and Discrimination:

Name of Employee filing complaint: Natalie A Lambert

Name of Employer: Uniregistry, Inc.

Address:

**2161 San Joaquin Hills Road
Newport Beach, CA 92658
949-247-6707**



Additional Address for Uniregistry, Inc.:

**P.O. Box 1400
Chelan, WA 98816-1400**

Complaint description:

I began employment as Director of Business Development with Uniregistry, Inc. on October 28, 2014 and worked out of the Newport Beach, CA address and was wrongfully terminated on March, 23rd, 2015. I believe my wrongful termination was due to retaliation and discrimination by my former manager, Sevan Derderian.

While employed with Uniregistry, Inc. I submitted a formal complaint to my upper management regarding the discriminatory behavior by my manager. Following the complaint, I was threatened by Sevan Derderian, that he would make my job very difficult if I ever went above him again to address his behavior. I contacted the following people in upper management regarding his threat: Frank Schilling, Bret Fausset, Michael Ward and Francisco Oblspo.

During my employment, my job assignments were wrongly distributed, I was not provided with effective training and was harassed and discriminated against on a daily basis by Sevan Derderian and several other employees in the office which were all male. I was the only female in the Newport Beach office. The harassment continued and escalated and on March 23rd, 2015, I was wrongfully terminated with no explanation or justification. Prior to my termination, I was given no notification or progressive counseling and was told that I had to wait to receive my final paycheck in the mail which is a violation of California Law.

Sincerely,

Natalie A Lambert

A handwritten signature in black ink, appearing to be "Natalie A Lambert", written over a horizontal line.

Address :

**P.O. Box 4176
Boynton Beach, FL 33424
Phone [REDACTED]**



9-22-15

Fax Cover

of Pages including cover: 2

Roybal Federal Building

Attention: Rosa Viramontes

Fax # 213-894-1118

* EEOC Complaint - CA-Los Angeles
office

Notes: Enclosed is an EEOC
Complaint against Uniregistry, Inc.
A signed letter was also mailed
via Fedex to arrive today.

You may reach me at 561-292-8687

Best,

Natalie Lambert

EXHIBIT B



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Los Angeles District Office

255 E. Temple Street, 4th Floor
Los Angeles, CA 90012
Los Angeles Direct Dial: (213) 894-1000
TTY (213) 894-1121
FAX (213) 894-1118

September 28, 2015

Respondent: Uniregistry, Inc.
EEOC Charge Number: 480-2015-03412

Natalie Lambert
PO Box 4176
Boynton Beach, FL 33424

Dear Ms. Lambert:

Your *charge intake questionnaire* concerning allegations of employment discrimination by the employer named above has been received by our office and reviewed. The charge intake questionnaire has been given the above-referenced charge number. We have also notified the employer that you are filing a charge, which we are required to do.

You have been scheduled for a phone intake interview on **Monday, December 7, 2015, at 10:00am.**

If you are unable to keep this appointment or if an EEOC representative has not contacted you after 15 minutes of your appointment time you may contact John Sohn, CRTIU Supervisor, at (213) 894-1090 with specific dates and times that you are available. When you contact us please refer to the above EEOC charge number.

Please note that if you miss your scheduled appointment or an EEOC representative is unable to reach you, your charge may be processed from the information available.

Sincerely,

A handwritten signature in black ink, appearing to read "John Sohn".

John Sohn
CRTIU Supervisor

Office Hours: Monday – Friday, 8:00 a.m. – 4:30 p.m.
Website: www.eeoc.gov

EXHIBIT C

INTAKE

EEOC Form 5 (1/158)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐

FEPA

☒

EEOC

480-2015-03412

California Department Of Fair Employment & Housing

and EEOC

State or local Agency, if any

letting me know that he knew my information. On or about Mach 23, 2015, I was discharged.

II. No reason was given to me for the above acts of discrimination.

III. I believe I have been discriminated against due to my sex (female), in retaliation for complaining to Frank Schilling in Nov 2014, and because of my disability, which are in violation of Title VII of The Civil Rights Act of 1964, as amended and the Americans with Disabilities Act of 1990, as amended.

RECEIVED

JAN 19 2016

EEOC/LADO

INTAKE

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Dec 17, 2015

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day year)

EXHIBIT D



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDWARD G. BROWN, JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | Videophone 916-226-5285 | TTY 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

Frank Schilling
Chief Executive Officer
UNIREGISTRY, INC
4640 Admiralty Way Floor 5
Marina Del Rey, CA 90292

EEOC Number 480-2015-03412C
Case Name Natalie Lambert
Filing Date January 19, 2016

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being dual filed with the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

The EEOC is responsible for the processing of this complaint and the DFEH will not be conducting an investigation into this matter. Please contact EEOC directly for any discussion of the complaint or the investigation.

NOTICE TO COMPLAINANT OF RIGHT TO SUE

This letter is also your Right to Sue notice. **This Right to Sue Notice allows you to file a private lawsuit in State court.** According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one-year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed.

Be advised, the DFEH does not retain case records beyond three years after a complaint is filed.

EXHIBIT E

EEOC Form 212-A (3/98)

U.S. Equal Employment Opportunity Commission

TO: **California Department Of Fair Employment & Housing**
2218 Kausen Drive
Suite 100
Elk Grove, CA 95758

Date **February 1, 2016**

EEOC Charge No.
480-2015-03412

FEPA Charge No.

CHARGE TRANSMITTAL

SUBJECT:

Natalie Lambert

v.

UNIREGISTRY, INC

Charging Party

Respondent

Transmitted herewith is a charge of employment discrimination initially received by the:



EEOC



on

Sep 25, 2015

Name of FEPA

Date of Receipt



Pursuant to the worksharing agreement, this charge is to be initially investigated by the EEOC.



Pursuant to the worksharing agreement, this charge is to be initially investigated by the FEPA.



The worksharing agreement does not determine which agency is to initially investigate the charge.



EEOC requests a waiver



FEPA waives



No waiver requested



FEPA will investigate the charge initially

Please complete the bottom portion of this form to acknowledge the receipt of the charge
and, where appropriate, to indicate whether the Agency will initially investigate the charge.

Typed Name and Title of EEOC or FEPA Official

Rosa M. Viramontes, District Director

Signature/Initials

**Natalie Lambert**

v.

UNIREGISTRY, INC

Charging Party

Respondent

TO WHOM IT MAY CONCERN:



This will acknowledge receipt of the referenced charge and indicate this Agency's intention to initially investigate the charge.



This will acknowledge receipt of the referenced charge and indicate this Agency's intention not to initially investigate the charge.



This will acknowledge receipt of the referenced charge and request a waiver of initial investigation by the receiving agency.



This will acknowledge receipt of the referenced charge and indicate this Agency's intention to dismiss/close/not docket the charge for the following reasons:

Typed Name and Title of EEOC or FEPA Official

Annmarie Billotti, Director

Signature/Initials

TO: **Los Angeles District Office**
255 E. Temple St. 4th Floor
Los Angeles, CA 90012

Date **February 1, 2016**

EEOC Charge No.
480-2015-03412

FEPA Charge No.

EXHIBIT F

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Natalie Lambert**
P O Box 4176
Boynton Beach, FL 33424

From: **Los Angeles District Office**
255 E. Temple St. 4th Floor
Los Angeles, CA 90012



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

480-2015-03412

John H. Sohn,
Intake Supervisor

(213) 894-1090

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

On behalf of the Commission

[Signature]
Rosa M. Viramontes,
District Director

2/11/19
(Date Mailed)

Enclosures(s)

cc:

Frank Schilling
Chief Executive Officer
UNIREGISTRY, INC
4640 Admiralty Way Floor 5
Marina Del Rey, CA 90292

EXHIBIT 44 PLTF.
 WITNESS Lambert (DEF)
 CONSISTING OF _____ PAGES
 DATE 5-14-19
 BEHMK REPORTING AND VIDEO SERVICES, INC.

EEOC 000039

EXHIBIT G

02-24-16

Equal Employment Opportunity Commission
Attention: John H. Sohn
255 East Temple Street
4th Floor
3/10/15

Los Angeles, CA 90012

EEOC Charge Number - 480-2015-03412

Dear John:

Per our conversation on February, 24th, 2016, enclosed is additional information and evidence relating to my charges of discrimination while employed with Uniregistry.

Please feel free to reach out to me with any additional questions.

Thanks.

Best,

A handwritten signature in black ink, appearing to be 'NL' or similar, written over a horizontal line.


Natalie Lambert
561.292.8687 or 561.292.8689

RECEIVED


MAR 23 2016

EEOC LADO
INTAKE

Tracking #
782599351464
Shipped on 3/15/16
and signed for by
K. Kat on 3/17/16
at ③ 10:22am



FedEx Office.
K. Kat 3/17/16
10:22AM

Address: 

Location: BCTK
Device ID: -BTC03
Transaction: 870131734524

FedEx 2Day A.M.
32599351464 1.3 LB (S)
Declared Value \$

Shipment subtotal: \$3.50
Total Due: \$33.50

H = Weight entered manually
S = Weight read from scale
T = Taxable item

Terms and Conditions apply. See
fedex.com/us/service-guide for details

Visit us at: fedex.com
Or call 1 800 FedEx
1 800 468 3333

March 15, 2016 2:43:01 PM

***** WE LISTEN *****
Tell us how we're doing
& receive a discount on your next order!
fedex.com/weListen or 800-398-0242
Redemption Code: _____

*** Thank you ***

AT&T has queried for records using Eastern Time Zone. AT&T's records are stored and provided in UTC.

(561)292-8687

Terminating
Number

Originating
Number

ET

Seizure
Time

Conn.
Time
(UTC)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15612928687

12138941025

0:07

0:02

9:35:38

EXHIBIT H



**SCOTT
WAGNER**
AND ASSOCIATES, P.A.

EMPLOYMENT • CIVIL RIGHTS • HEALTHCARE
www.scottwagnerlaw.com

Sender E-Mail: L.Wagner@scottwagnerlaw.com

March 23, 2017

VIA U.S. MAIL & FACSIMILE: (213) 894-1118

Ms. Patricia Kane
Equal Employment Opportunity Commission
255 E Temple Street, 4th Floor
Los Angeles, CA 90012

Re: Lambert, Natalie vs. Uniregistry
EEOC Charge No.: 213-894-6573
Our File No.: 16526

Dear Investigator Kane,

Our firm has the pleasure of representing Ms. Natalie Lambert regarding the above referenced matter. We request that all future communications be directed to our office.

Sincerely,

LINDSEY WAGNER
LW:es

* * * Communication Result Report (Mar. 23. 2017 1:50PM) * * *

1}

Date/Time: Mar. 23. 2017 1:49PM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
5537	Memory TX	12138941118	P. 1	OK	

Reason for error

E. 1) Hang up or line fail
 E. 3) No answer
 E. 5) Exceeded max. E-mail size

E. 2) Busy
 E. 4) No facsimile connection
 E. 6) Destination does not support IP-Fax



**SCOTT
WAGNER**
AND ASSOCIATES, P.A.

EMPLOYMENT • CIVIL RIGHTS • HEALTHCARE
www.scottwagnerlaw.com

Indy 8146 [Email: [redacted]@scottwagnerlaw.com]

March 23, 2017

VIA U.S. MAIL & FACSIMILE (213) 894-1118

Ms. Patricia Kane
 Equal Employment Opportunity Commission
 255 H Street, 6th Floor
 Los Angeles, CA 90012

Re: **Lambert, Natalie vs. Unemployment**
 EEOC Charge No.: 213-894-6373
 Our File No.: 16526

Dear Investigator Kane,

Our firm has the pleasure of representing Ms. Natalie Lambert regarding the above referenced matter. We request that all future communications be directed to our office.

Sincerely,

LINDSEY WAGNER
 LW:ms

R: (561) 433-0000
 F: (561) 433-0020
 TF: (577) 907-2600

230 S. Central Blvd. Ste. 100A
 Jupiter, Florida 33458
 Additional office in West Palm Beach

EXHIBIT I



**SCOTT
WAGNER**
AND ASSOCIATES, P.A.

EMPLOYMENT • CIVIL RIGHTS • HEALTHCARE

www.scottwagnerlaw.com

Sender E-Mail: L.Wagner@scottwagnerlaw.com

March 31, 2017

VIA U.S. MAIL

Ms. Patricia Kane
Equal Employment Opportunity Commission
255 E Temple Street, 4th Floor
Los Angeles, CA 90012

Re: Lambert, Natalie vs. Uniregistry
EEOC Charge No.: 213-894-6573
Our File No.: 16526

Dear Investigator Kane,

Our firm has the pleasure of representing Ms. Natalie Lambert regarding the above referenced matter. Pursuant to your previous conversation with Ms. Lambert regarding re-evaluating her Charge, please see the attached documentation.

Please let me know if you have any questions.

Sincerely,

LINDSEY WAGNER
LW:es

EXHIBIT J



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Los Angeles District Office

255 E. Temple Street, 4th Floor
Los Angeles, CA 90012
(213) 894-1000
TTY (213) 894-1121
FAX (213) 894-1118

Natalie Lambert
P.O. Box 4176
Boynton Beach, FL 33424

Charging Party

Uniregistry, Inc.
4640 Admiralty Way Floor 5
Marina Del Rey, CA 90292
ATTN: Frank Schilling, Chief Executive Officer

Respondent

NOTICE OF INTENT TO RECONSIDER

Pursuant to 29 CFR 1601.21 of the Commission's Procedural Regulations which reads in part:

The Commission may, however, on its own initiative, reconsider its decision or the determination of any of its designated officers who have authority to issue Letters of Determination.

Accordingly, I intend to rescind the Dismissal Right to Sue issued on February 1, 2016 for charge 480-2015-03412. Therefore, this notice vacates that Dismissal and revokes the Notice of Right to Sue issued on EEOC Charge No. 480-2015-03421 issued on February 1, 2016 in order to continue the processing of the charge.

If you have any questions regarding this letter please contact Patricia Kane, Enforcement Manager at (213) 894-1021.

On behalf of the Commission,

5/25/17
Date

Rosa M. Viramontes, District Director
Los Angeles District Office

Cc: Scott Wagner and Associates
250 S. Central Blvd. Ste. 104 A
Jupiter, FL 33458
Attn: Lindsey, Wagner, Attorney

EXHIBIT K

From: JACQUELINE ESCOBAR
Sent: Tuesday, July 18, 2017 10:03 AM
To: 'bretfausett@uniregistry.com' <bretfausett@uniregistry.com>
Subject: EEOC Charge 480-2015-03412

Pursuant to our phone conversation, please see the attached Notice of Intent to Reconsider signed on May 25, 2017 regarding Natalie Lambert vs. Uniregistry. Furthermore, I would like to schedule interviews with the following individuals: Frank Pavilinois, Director of Sales; Vern Jurovich, COO; and Amanda Fessenden, Marketing. Please let me know the best date and time to conduct these interviews. Interviews usually take about 1 hour. Based on our phone conversation, it's my understanding that some of these individuals are not in the Los Angeles area, and for this reason we might need to conduct phone interviews. Please provide a respond by COB July 25, 2017.

Please confirm receipt of this email.

Jacqueline Escobar
Federal Investigator
U.S. Equal Employment Opportunity Commission
255 East Temple St., 4th Floor | Los Angeles, CA 90012
Tel (213) 894-0290 | Fax (213) 894-1118
Email jacqueline.escobar@eeoc.gov
Web www.eeoc.gov

<Image002.jpg>

<480-2015-03412 Notice of Intent to Reconsider.pdf>

From: Ocheltree, Lori A [mailto:LPOcheltree@duanemorris.com]

Sent: Monday, July 24, 2017 3:36 PM

To: JACQUELINE ESCOBAR <JACQUELINE.ESCOBAR@EEOC.GOV>

Subject: EEOC Charge 480-2015-03412 - Lambert v. Uniregistry

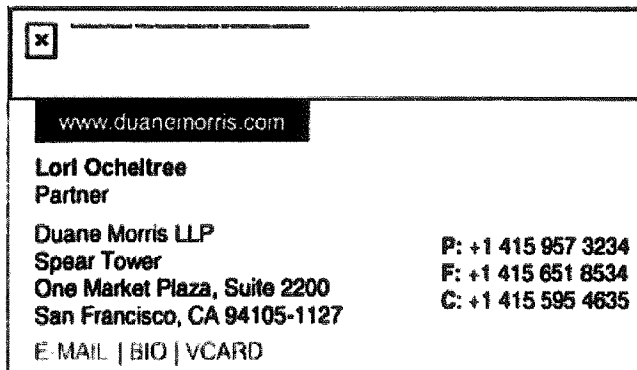
Dear Ms. Escobar,

Our firm is representing Uniregistry, Inc. with regard to with Notice of Intent to Reconsider the above-referenced charge apparently filed by Natalie Lambert. Uniregistry was not served with Ms. Lambert's charge, the dismissal, the right to sue (referenced in the Notice of Intent to Reconsider) or any other documents relating to her claim, aside from the Notice of Intent to Reconsider. We would appreciate your forwarding the charge, dismissal, right to sue, and any other documents relevant to the claim so that we can better understand what Ms. Lambert may be alleging and to fully defend against be better prepared to defend against it. Once we have those documents, we can move forward with your request for interviews.

Separately, I would also like to speak to you at your convenience about the Commission's decision to reopen the charge more than a year after dismissing it. While Uniregistry has every intention of working cooperatively with the EEOC, the lack of notice and subsequent delay gives rise to statute of limitations and due process concerns.

I look forward to hearing from you.

Lori Ocheltree



From: JACQUELINE ESCOBAR

Sent: Tuesday, July 18, 2017 10:03 AM

To: 'bretfausett@uniregistry.com' <bretfausett@uniregistry.com>

Subject: EEOC Charge 480-2015-03412

Pursuant to our phone conversation, please see the attached Notice of Intent to Reconsider signed on May 25, 2017 regarding Natalie Lambert vs. Uniregistry. Furthermore, I would like to schedule interviews with the following individuals: Frank Pavilinois, Director of Sales; Vern Jurovich, COO; and Amanda Fessenden, Marketing. Please let me know the best date and time to conduct these interviews. Interviews usually take about 1 hour. Based on our phone conversation, it's my understanding that

some of these individuals are not in the Los Angeles area, and for this reason we might need to conduct phone interviews. Please provide a respond by COB July 25, 2017.

Please confirm receipt of this email.

Jacqueline Escobar

Federal Investigator

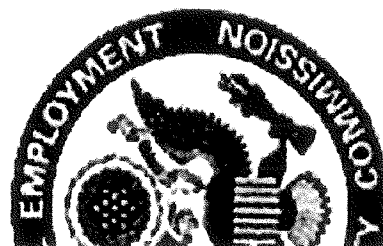
U.S. Equal Employment Opportunity Commission

255 East Temple St., 4th Floor | Los Angeles, CA 90012

Tel (213) 894-0290 | Fax (213) 894-1118

Email jacqueline.escobar@eeoc.gov

Web www.eeoc.gov

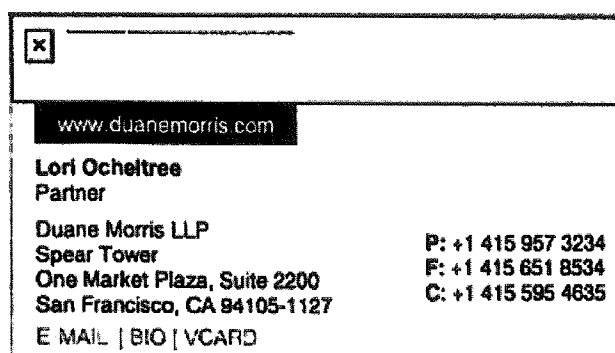


From: Ocheltree, Lorraine P. <LOcheltree@duanemorris.com>
Sent: Wednesday, July 26, 2017 3:20 PM
To: JACQUELINE ESCOBAR
Subject: RE: EEOC Charge 480-2015-03412 - Lambert v. Uniregistry

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for your reply. I look forward to receiving the documents.

Lori Ocheltree



From: JACQUELINE ESCOBAR [mailto:JACQUELINE.ESCOBAR@EEOC.GOV]
Sent: Wednesday, July 26, 2017 3:12 PM
To: Ocheltree, Lorraine P. <LOcheltree@duanemorris.com>
Subject: RE: EEOC Charge 480-2015-03412 - Lambert v. Uniregistry

Should you have any questions regarding the Commission's decision to reopen the charge more than a year after dismissing it, you may contact Patricia Kane, EEOC Enforcement Manager at (213) 894-1021. Please make sure you have the EEOC Charge No. and the name of the Company in hand. I will be emailing you the documents requested in the coming days.

Best,

Jacqueline

Jacqueline Escobar

Federal Investigator
U.S. Equal Employment Opportunity Commission
255 East Temple St., 4th Floor | Los Angeles, CA 90012
Tel (213) 894-0290 | Fax (213) 894-1118
Email jacqueline.escobar@eeoc.gov
Web www.eeoc.gov

From: Ocheltree, Lorraine P. [mailto:LPOcheltree@duanemorris.com]
Sent: Friday, August 11, 2017 3:19 PM
To: JACQUELINE ESCOBAR <JACQUELINE.ESCOBAR@EEOC.GOV>
Subject: RE: EEOC Charge 480-2015-03412 - Lambert v. Uniregistry

Jacqueline,

Thank you for these documents. I have not spoken to Ms. Kane yet as I wanted to review the documents first. I will interview them next week and then will try to speak with Ms. Kane. I would like to put off the interviews until after that discussion takes place as there are statute of limitation/due process issues that should be addressed. If we proceed with interviews, I have limited availability through the end of the month. September may be a better option. Of course, I'll have to check with the witnesses (if they are still employed) regarding their as well.

I get back to you after I speak with Ms. Kane. Thank you and enjoy your weekend.

i

www.duanemorris.com

Lorraine Ocheltree
Partner

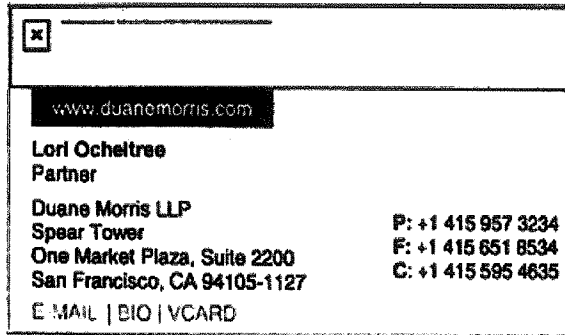
Duan Morris LLP
Pearl Tower

One Market Plaza, Suite 2200
San Francisco, CA 94105-1127

P: +1 415 957 3234
F: +1 415 651 8534
C: +1 415 595 4635

From: Ocheltree, Lorraine P. <LPOcheltree@duanemorris.com>
Sent: Monday, November 06, 2017 11:48 AM
To: JACQUELINE ESCOBAR
Subject: RE: EEOC Charge 480-2015-03412

I'm already working on it. Will let you know when I know.



From: JACQUELINE ESCOBAR [mailto:JACQUELINE.ESCOBAR@EEOC.GOV]
Sent: Monday, November 6, 2017 10:39 AM
To: Ocheltree, Lorraine P. <LPOcheltree@duanemorris.com>
Subject: RE: EEOC Charge 480-2015-03412

Provide me with alternative dates by COB Friday, November 10, 2017.

Respectfully,

Jacqueline

Jacqueline Escobar

Federal Investigator
U.S. Equal Employment Opportunity Commission
255 East Temple St., 4th Floor | Los Angeles, CA 90012
Tel (213) 894-0290 | Fax (213) 894-1118
Email jacqueline.escobar@eeoc.gov
Web www.eeoc.gov

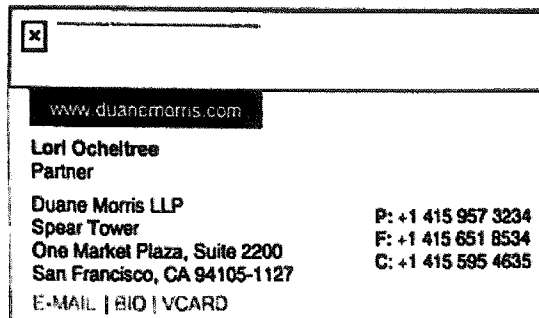


JACQUELINE ESCOBAR

From: Ocheltree, Lorraine P. <LPOcheltree@duanemorris.com>
Sent: Monday, November 06, 2017 10:38 AM
To: JACQUELINE ESCOBAR
Subject: RE: EEOC Charge 480-2015-03412

Too bad but I understand. The rest of that week does not work for Vern and I, but we will try to come up with an alternate date or dates that work around your schedule.

Lori



From: JACQUELINE ESCOBAR [mailto:JACQUELINE.ESCOBAR@EEOC.GOV]
Sent: Monday, November 6, 2017 9:18 AM
To: Ocheltree, Lorraine P. <LPOcheltree@duanemorris.com>
Subject: RE: EEOC Charge 480-2015-03412

I am not in the office Monday's or Thursday's. I am available Tue, Wed or Friday anytime between 7am to 5.00pm (pacific time).

Jacqueline Escobar

Federal Investigator
U.S. Equal Employment Opportunity Commission
255 East Temple St., 4th Floor | Los Angeles, CA 90012
Tel (213) 894-0290 | Fax (213) 894-1118
Email jacqueline.escobar@eeoc.gov
Web www.eeoc.gov



JACQUELINE ESCOBAR

From: Ocheltree, Lorraine P. <LPOcheltree@duanemorris.com>
Sent: Friday, November 10, 2017 3:36 PM
To: JACQUELINE ESCOBAR
Subject: Re: EEOC Charge 480-2015-03412

Ms. Escobar,

You asked me to get back to you today. I have reached out to Mr. Jurovich for alternate dates for an interview but have not heard back yet. I will let you know when I hear from him.

Lori Ocheltree

Sent from my iPhone

On Nov 6, 2017, at 10:39 AM, JACQUELINE ESCOBAR <JACQUELINE.ESCOBAR@EEOC.GOV> wrote:

Provide me with alternative dates by COB Friday, November 10, 2017.

Respectfully,

Jacqueline

Jacqueline Escobar

Federal Investigator
U.S. Equal Employment Opportunity Commission
255 East Temple St., 4th Floor | Los Angeles, CA 90012
Tel (213) 894-0290 | Fax (213) 894-1118
Email jacqueline.escobar@eeoc.gov
Web www.eeoc.gov

<image003.jpg>

From: Ocheltree, Lorraine P. [<mailto:LPOcheltree@duanemorris.com>]
Sent: Monday, November 06, 2017 10:38 AM
To: JACQUELINE ESCOBAR <JACQUELINE.ESCOBAR@EEOC.GOV>
Subject: RE: EEOC Charge 480-2015-03412

Too bad but I understand. The rest of that week does not work for Vern and I, but we will try to come up with an alternate date or dates that work around your schedule.

Lori

<image002.png>

www.duanemorris.com

Lori Ocheltree
Partner

Duane Morris LLP
Spear Tower
One Market Plaza, Suite 2200
San Francisco, CA 94105-1127

P: +1 415 957 3234
F: +1 415 651 8534
C: +1 415 595 4635

E MAIL | BIO | V CARD

From: JACQUELINE ESCOBAR

[mailto:JACQUELINE.ESCOBAR@EEOC.GOV]

Sent: Monday, November 27, 2017 9:53 AM

To: Ocheltree, Lorraine P. <LPOcheltree@duanemorris.com>

Subject: RE: EEOC Charge 480-2015-03412

Ms. Ocheltree,

Thank you for your immediate response. The date and time work for me. What number should I dial? Or will you be calling in?

Jacqueline Escobar

Federal Investigator

U.S. Equal Employment Opportunity Commission

255 East Temple St., 4th Floor | Los Angeles, CA 90012

Tel (213) 894-0290 | Fax (213) 894-1118

Email jacqueline.escobar@eeoc.gov

Web www.eeoc.gov

<image003.jpg>

From: Ocheltree, Lorraine P. [mailto:LPOcheltree@duanemorris.com]

Sent: Monday, November 27, 2017 9:49 AM

To: JACQUELINE ESCOBAR <JACQUELINE.ESCOBAR@EEOC.GOV>

Subject: RE: EEOC Charge 480-2015-03412

Dear Ms. Escobar,

Both Mr. Jurovich and I are available for his interview on the afternoon of Wednesday, December 20, 2017, preferably after 2:00 p.m. Please advise at your earliest convenience whether that date and time work for you.

Lori Ocheltree

<image002.png>

www.duanemorris.com

Lori Ocheltree
Partner

Duane Morris LLP
Spear Tower
One Market Plaza, Suite 2200
San Francisco, CA 94105-1127

P: +1 415 957 3234
F: +1 415 651 8534
C: +1 415 595 4635

E MAIL | BIO | V CARD

From: JACQUELINE ESCOBAR

[mailto:JACQUELINE.ESCOBAR@EEOC.GOV]

Sent: Monday, November 27, 2017 8:10 AM

To: Ocheltree, Lorraine P. <LPOcheltree@duanemorris.com>

Subject: RE: EEOC Charge 480-2015-03412

JELINE ESCOBAR [mailto:JACQUELINE.ESCOBAR@EEOC.GOV]
January 23, 2018 10:38 AM
e, Lorraine P. <LPOcheltree@duanemorris.com>
EEOC Charge 480-2015-03412

may decline to sign the affidavit per counsel. I will just input it on my notes that the witness declined to

scobar

Employment Opportunity Commission
District Office
Temple St., 4th Floor | Los Angeles, CA 90012
894-0290 | Fax (213) 894-1118
jline.escobar@eeoc.gov
eeoc.gov

EXHIBIT L

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Natalie Lambert**
P O Box 4176
Boynton Beach, FL 33424

From: **Los Angeles District Office**
255 E. Temple St. 4th Floor
Los Angeles, CA 90012

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

480-2015-03412

Jacqueline Escobar,
Investigator

(213) 894-1000

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

[Signature]
Rosa M. Vramontes,
District Director

2-6-18

(Date Mailed)

Enclosures(s)

cc: **Stacey Judah, Paralegal**
Scott Wagner and Associates, P.A.
250 S. Central Blvd. #104A
Jupiter, FL 33458

Lori Ocheltree, Esq.
Duane Morris, LLP
Spear Tower
One Market Plaza, Suite 2200
San Francisco, CA 94105-1127